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plan would adequately protect the workers and public from exposure to the constituents at unacceptable levels and would prevent the mobilization of contaminants.

37-37

SFPP believes that the implementation of the general and specific contingency plans specified in the URS report would prevent mobilization of contaminants and protect workers and the public from being exposed to constituents at levels that exceed the indicated thresholds. This approach has proven successful for the construction of hundreds of utility projects as well as for hazardous materials/waste remediation projects and leaking underground storage tank projects throughout California and the US.

Additionally, the fact that construction and remediation activities associated with petroleum hydrocarbon contamination in soil and groundwater are routinely conducted in a safe manner using widely practiced general health and safety measures is not acknowledged in the EIR. These common practices will be contained in the project health and safety/contingency plan (Plan) and will be conducted at any site where odiferous or stained soils from apparent petroleum contamination is encountered, regardless of what the site records may have indicated and regardless of the results of any subsurface investigation data that is available prior to construction.

As a result, we do not believe that conducting Phase 2 subsurface investigations is necessary or adds to our ability to mitigate potential impacts with respect to environmental contamination and the stated significance criteria. Aside from the traffic disruptions related to conducting subsurface sampling in city streets, identifying the concentration of contaminants in the ROW in advance will not change the Plan measures to be implemented throughout the entire project area. In our recent pipeline construction experience, the most significant contamination has been encountered at sites that were not known to exist prior to excavation. Additionally, since construction will occur in a linear trench, there is a possibility that borings conducted for subsurface investigation purposes might miss areas of contamination that would ultimately be excavated during construction. This being the case, a site-specific contingency plan will be required anyway and the value of the information gained from the subsurface investigation is minimal.

Additionally, we believe that DTSC, RWQCB or County Health Department approval should only be required for excavation through areas of known contamination with active case files where additional excavation may interfere with on-going remediation efforts. This is consistent with the current state of the practice for other construction and development projects.

Mitigation Measures

The preamble above is relevant to the following mitigation measures:

EC-1a Medium Potential Impact Sites (page D.6-8)

37-38

Sites designated as medium in the URS report are sites where contamination probably won't be encountered but the contractor should not be surprised and should be ready for it if it is. Many of the medium sites are closed LUST site as stated in the URS report. Visual site inspections and

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records reviews will not provide any information that would benefit workers or the public. Sampling and soil vapor surveys are not necessary and would result in a significant additional expense that bears no proportion to any limited increase in information about the site that might be obtained. A more practical option would be to monitor the excavation near these sites during initial trenching with the appropriate real-time monitoring device (OVA, PID, CGA, etc.) and if constituents are detected, implement site control, PPE and soil handling measures that are specified in the Plan for contaminated soils. The Plan would have standard measures that are commonly used, and we do not believe that review by the agencies is necessary. However, if agency review were required, it should be required by the local environmental health agency as, in our experience, DTSC would not be involved in this type of review unless the site is a state-listed or DTSC-managed site.

SFPP proposes the following revision:

> EC-1a Medium Potential Impact Sites. SFPP shall ~~thoroughly review current agency (e.g., Department of Toxic Substances Control [DTSC], Regional Water Quality Control Board, the appropriate County's Environmental Health Division or Fire Department) records for "medium" potential sites (as defined in Tables D.6-1 through D.6-7) followed by site specific visual inspection of the pipeline route by a qualified environmental consultant approved by the CSLC. Record review shall identify data confirming that no off-site contamination extends to the pipeline route, or that adequate remediation of the pipeline route has occurred, or agency certified closure of the site. Visual inspection shall be completed for the unpaved portions of the route and shall verify no evidence of off-site discharge, surface stains or unauthorized dumping.~~
>
> ~~If results of the record review or visual inspection indicate that contamination is present in the pipeline route, medium potential sites shall be treated as high potential and the requirements of EC-1b shall be implemented. Record review of these potential sites must determine that the horizontal limits of soil or groundwater contamination do not extend near the proposed trench area. Where the limits of contamination are uncertain, a soil vapor survey, soil sampling, and/or groundwater sampling shall be conducted along the affected length of the proposed trench. Laboratory test results from these site investigations shall be reported to DTSC or the appropriate County's Environmental Health Division and shall include an assessment of the contamination potential in the trench area. Documentation of all site research and a copy of the DTSC or the appropriate County's Environmental Health Division approval letter must be provided to the CSLC 60 days prior to start of construction~~ prepare a hazardous materials contingency plan and health and safety plan that contains procedures for handling contaminated soil and groundwater that may be encountered during construction in a manner that prevents migration of constituents from contaminated sites and minimizes exposing the public to these constituents. Additionally, SFPP shall identify the contaminant(s) of concern at Medium-ranked sites and monitor the excavation near these sites during initial trenching with the appropriate monitoring device. The constituents and monitoring methods shall be included in the contingency plan. If constituents are detected during construction,

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SFPP shall implement site control, personal protective equipment (PPE) and soil/groundwater handling measures that are specified in the Plan for contaminated soils. **37-38**

EC-1b High Potential Impact Sites

The comments related to sampling, inspections and agency review associated with EC-1a above are also applicable to EC-1b. **37-39**

SFPP proposes the following revisions:

EC-1b High Potential Impact Sites. SFPP shall review current agency (e.g., Department of Toxic Substances Control [DTSC], Regional Water Quality Control Board, the appropriate County's Environmental Health Division or Fire Department) records of "high" potential sites and landfills (as defined in Tables D.6-1 through D.6-7) to ~~design an investigation program to assess whether there is~~ identify specific contamination in surface waste or debris and underlying soil and shallow groundwater. The…

If the records review does not eliminate the possibility that contamination could extend off-site, ~~an investigation shall be performed. The investigation shall include collecting samples for laboratory analysis and quantification of contaminant levels within the proposed excavation and surface disturbance areas. Subsurface investigation for high potential sites shall determine appropriate worker protection and hazardous material handling and disposal procedures appropriate for the subject site.~~ SFPP shall monitor the excavation near these sites during initial trenching with the appropriate monitoring device. The constituents and monitoring methods shall be included in the contingency plan. If constituents are detected during construction, SFPP shall implement site control, personal protective equipment (PPE) and soil/groundwater handling measures that are specified in the Plan for contaminated soils. Areas with contaminated soil and groundwater determined to be hazardous waste shall be removed by personnel who have been trained through the OSHA recommended 40-hour safety program (29CFR1910.120) with an approved plan for groundwater extractions, soil excavation, control of contaminant releases to the air, and off-site transport or on-site treatment. Health and safety plans, prepared by a qualified and approved industrial hygienist, shall be developed to protect the general public and all workers in the construction area. ~~Results shall be reviewed and approved by the appropriate County's Environmental Health Division or DTSC prior to construction. Documentation of all site research and a copy of the DTSC or appropriate County's Environmental Health Division approval letter must be provided to the CSLC 60 days prior to start of construction.~~ If investigation and remediation activities are on-going at a High-ranked site, SFPP shall provide documentation from the appropriate lead agency (e.g. local environmental health agency, DTSC or RWQCB) that construction of the pipeline through the site will not interfere with on-going investigation/remediation efforts.

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EC-1c Unknown Soil or Groundwater Contamination (page D.6-9)

37-40

This mitigation measure that addresses unknown contamination states "Results shall be reviewed and approved by the appropriate County's Environmental Health Division or DTSC prior to construction." Considering that the contamination is unknown and will not be discovered until during construction, this condition is unreasonable and illogical and should be deleted The common practice would be to either remove and properly dispose of the contaminated soil, or test the soil to determine if it meets pre-approved levels for use as backfill.

SFPP proposes the following revisions:

> EC-1c Unknown Soil or Groundwater Contamination. During all project excavation activities, the contractor shall inspect the exposed soil for visual evidence of contamination. If visual contamination indicators are observed during excavation or grading activities, ~~all work shall stop and an investigation shall be designed and performed to verify the presence and extent of contamination at the site~~ monitoring, sampling and health and safety procedures specified in the hazardous materials contingency plan shall be implemented. A qualified and approved environmental consultant shall perform or oversee these activities. ~~the review and investigation. Results shall be reviewed and approved by the appropriate County's Environmental Health Division or DTSC prior to construction. The investigation shall include collecting samples for laboratory analysis and quantification of contaminant levels within the proposed excavation and surface disturbance areas. Subsurface investigation shall determine appropriate worker protection and hazardous material handling and disposal procedures appropriate for the subject site~~. Areas with contaminated soil…

EC-2a Landfill Gases (page D.6-10)

37-41

Same comment as EC-1b. With the proposed revision of Mitigation Measure EC-1b, this mitigation measure would be redundant and should be deleted.

EC-3a Abandoned Natural Gas Wells – (page D.6-11)

37-42

SFPP is not responsible for correctly abandoning or confirming the proper abandonment of wells on property belonging to others. Please revise the mitigation measure to read:

> … If the pipeline is located over or near (i.e., within 50 feet of the pipeline route) a plugged or abandoned well~~, or if an unrecorded well is encountered during construction, the Applicant shall coordinate with the Division of Oil, Gas and Geothermal Resources to ensure that the well is~~ it shall be flagged for avoidance. ~~or is correctly abandoned.~~ If an unrecorded well is encountered during construction, the Applicant shall notify the Division of Oil, Gas and Geothermal Resources so that this agency can follow up as necessary. The Applicant is not responsible for abandoning any wells identified.

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Geology, Soils and Paleontology

Mitigation Measures

G-2a Paleontological Resource Procedures (page D.7-18)

37-43

Monitoring should not be required for MP 1.0 to 5.0 since this section passes through young alluvium, bay mud, and Cretaceous sandstone and shale, all defined as having low sensitivity on page D.7-8. Monitoring should not be required between MP 11.0 to 15.5 as this section is in Sonoma Volcanics and some alluvium, not Tehama Formation as stated on page D.7-10. The Sonoma Volcanics has low sensitivity.

G-3 Geotechnical Investigations at Landslide Crossings (page D.7-18)

37-44

The geotechnical investigations have already been completed between MP 10.1 to 10.7 and MP 14.6 to 15.3 (URS "Landslide Investigation Lopes Road Segment, SFPP Concord to Sacramento Pipeline" dated May 1, 2003). The investigation concluded that there is a potential landslide impact that exists between MP 15.11 to 15.26 and at MP 19.7. The potential landslide hazards between MP 15.11 to 15.26 will be mitigated by installing the pipeline beneath the landslide. This will be accomplished by installing the pipeline by method of HDD between MP 15.09 and 15.28. The landslide mapped at MP 19.7 was originally south of the alignment but due to a reroute to avoid sensitive plants (goldfield) it was moved into the toe of a small slide. A minor reroute back to the north would avoid both the landslide and plants. If this can't be done, the landslide hazard will be mitigated by installing the pipeline in a 10-foot deep trench beneath the landslide. With the design mitigation of installing the pipeline beneath the landslides, MOVs are not necessary at these locations.

Table F-6 (page F-10), but not the text on page D.7-8 says to perform a geotechnical investigation at MP 9.7 to 10.7. The landslide mapped at MP 9.7 is well west of the alignment, has no impact on the project, and needs no investigation.

Valve #4 is currently proposed to be a manual valve (MP 15.15). G-7a does not give a recommendation for its relocation. There is not a proposed MOV at MP 15.27.

SFPP requests the following modifications to the 2nd paragraph of G-3:

> Geotechnical Investigations at Landslide Crossings. Data generated…
>
> In the event that appropriate slope stabilization measures can not be incorporated into final design, placement of motor operated valves (MOVs) and/or check valves shall be considered as an appropriate design mitigation if determined to be ~~Motor operated valves (MOVs) shall be placed at either side of any recognized landslide hazard zone if identified by a geotechnical investigation or by the CSLC as being~~ necessary to prevent excess spillage in the event of a landslide-caused rupture. ~~The location of the MOV at MP 15.27 may be combined with the recommended relocation of Manual Valve #4 (see Mitigation Measure G-7a).~~ Locations of

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all MOVs and/or check valves shall be presented in the final pipeline design, coordinated with the location of such valves at active fault crossings, and subject to the review of the CSLC and the approval of the ~~CSLC~~ CSFM. **37-44**

G-4a Construction Below Active Railroads (page D.7-21) **37-45**

All railroad crossings will be permitted with the appropriate facility owner. Design specifications will adhere to facility owner's standard requirements. Copies of permits will be on-site during all construction activities.

All active railroads are proposed to be crossed by method of "jack and bore" with bore and receiving pits being offset a minimum of 10 feet or as otherwise required by the facility owner. Any required variance from the minimum offset required during construction will be approved by the facility owner prior to any excavation.

Reference to a 10-foot offset is included in the Mitigation Table (Table F-6), but not in the specific mitigation measure.

SFPP requests the following modifications:

> Construction Below Active Railroads. In areas where the pipeline excavation ~~crosses beneath~~ is within 10 feet of the centerline of an active railroad, a geotechnical investigation shall be performed to develop criteria for stabilizing the excavation. These criteria shall account for periodic surcharge loading due to railroad operations; completion of the investigation shall be documented and submitted to the CSLC for review ~~and approval at least 60 days in advance of~~ prior to construction. All railroad crossings shall be permitted with the appropriate facility owner. Facility owner notification prior to construction will be as specified on the permit and proof of such notification shall be made available to CSLC. ~~The railroad shall be notified of the proposed excavation; a copy of the notification shall be provided to the CSLC.~~

G-5a General Fault Crossing Design Parameters (page D.7-21) **37-46**

Prior to issue of DEIR, a Final Geological Hazard Report was published by URS (4/3/03) that documented fault displacement data for the Concord, Green Valley, and Cordelia faults to be crossed by the proposed pipeline. The remaining investigation required for the fault crossings (which has now been completed) was a Finite Element Analysis (FEA) to determine the impact of worst case estimated fault displacements identified in the URS report on the pipeline design. No additional field investigation is proposed to define specific fault planes, orientation directions, offsets, etc.

The results of the FEA analysis show that with the proposed pipeline design at these specific fault crossing locations, only the worst-case Green Valley fault displacement has the potential to rupture the pipeline. The worst-case Concord fault displacement would not result in pipeline

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rupture as identified in the paragraph at the top of page D.7-21 in the DEIR and the worst-case Cordelia fault displacement would not result in a pipeline rupture.

37-46

Based on the potential rupture, a release analysis at the Green Valley fault was performed by SFPP and reviewed with CSLC. As design mitigation against the potential rupture, an MOV was proposed at MP 9.77, a check valve at MP 10.28, and a check valve at MP 10.95 that would minimize the volume of a potential release in this area.

Additional release analysis at the Concord or Cordelia faults have not been proposed as the pipeline is not shown to have the potential for rupture. However, valves on either side of the Concord fault (manual valve at MP 0.3 and MOV at MP 0.5) are proposed to satisfy DOT requirements for major waterways. No additional valves are proposed at the Cordelia fault. Since site specific studies have shown that fault displacement would not result in pipeline rupture for Concord or Cordelia, the potential impacts should not be considered significant for these crossings and additional mitigations over those proposed by SFPP are not required under CEQA.

SFPP requests the following modifications:

> General Fault Crossing Design Parameters. In order to develop site specific measures for final pipeline design for individual fault crossings, the Applicant shall complete final ~~geotechnical studies~~ assessment of fault data at the Concord, Green Valley, and Cordelia Fault crossings to ~~accurately define the fault plane location, orientation and direction of anticipated offset and to refine fault crossing design parameters prior to construction of the pipeline~~ determine the pipeline's capability to withstand worst case fault displacements. In order to retain the pipeline's ductility, the pipeline shall be aligned to cross the fault with as close to a 90° angle as possible to avoid shortening or large compressive strains during fault movement. Other appropriate design and operational procedures to be considered for incorporation during final pipeline design include, but are not limited to, engineered backfill, thicker wall pipe, MOVs and/or check valves on either side of the fault crossings and/or use of seismic switches/alarms to minimize the potential impact of a sizeable seismic event. ~~The geotechnical reports~~ Final pipeline design with associated design mitigation measures shall be submitted to the CSLC for review and the CSFM for approval and made available to the affected counties' public works departments for review ~~and the recommendations shall be incorporated into the final pipeline design~~.
>
> Concord Fault. Pipeline construction for the Concord Fault crossing shall include ~~accomplished by HDD utilizing~~ a minimum 0.5-inch pipe wall thickness and valves on each side of the HDD crossing (manual valve at mp 0.3 and MOV at mp 0.5). ~~and includes a system for monitoring and controlled shutdown of the pipeline. This shall be accomplished through installation of an additional MOV at approximately MP 0.5 (or such other location determined by the CSLC during review and approval of final pipeline design plans) to limit the volume of product released should movement of the Concord Fault cause rupture of the pipeline. Pipeline design shall also follow the general parameters described above as appropriate.~~